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5 August 2016

**Ref: FOI.16.SUT084**

Dear Dr Bhatia

### **Freedom of Information Act Request**

Thank you for your request under the Freedom of Information Act. This response is provided on behalf of NHS Sutton Clinical Commissioning Group (CCG). Your request, along with the CCG's response, is detailed below.

**I read with interest about the Sutton IDCR <http://www.suttonccg.nhs.uk/Aboutus/care-record/Pages/Useful-documents.aspx>**

- **Is the Sutton IDCR a Graphnet extracted & uploaded database (akin to the Hampshire Health Record), or is information from GP systems streamed via Healthcare Gateway's MIG?**

Graphnet.

- **If Graphnet, who is the data controller for the combined database – NHS Sutton CCG?**

**Your FAQ leaflet implies that the presence of the read codes 9Nd0 (SCR opt out) and 93C1 (EMIS Web data sharing opt out) will prohibit extraction and uploading from GP systems to the IDCR**

The data controllers are those parties who supply the data. Currently this is the GP practices of NHS Sutton CCG and London Borough of Sutton.

- **Does the 9Nd1 read code also inhibit extraction and uploading?**

Yes.

- **Does the 9Nu0 read code also inhibit extraction and uploading?**

No, this is specific to care.data.

- **Does the 9Nu4 read code also inhibit extraction and uploading?**

No, this is specific to care.data.

- **Are there any secondary uses of the extracted and uploaded data (such as risk stratification, commissioning, healthcare planning, research)?**

No.

- **If so, how can patients agree to allow their information to be shared via the IDCR for direct care purposes only, whilst prohibiting any and all secondary uses of their personal confidential information?**

N/A

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1 Lower Marsh  
Waterloo  
London, SE1 7NT

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You are required not to use personal data for electronic marketing (telesales, fax, e-mail) to our staff and comply with the Privacy and Electronic Communications (EC Directive) Regulations 2003. Provision of such personal data in response to a Freedom of Information or Environmental Information request does not constitute consent from the individual concerned.

The Data Protection Act gives individuals rights to prevent processing likely to cause substantial unwarranted damage or unwarranted distress (section 10) and to prevent processing for the purposes of direct marketing (section 11). You should be aware that selling, giving or sharing of personal data could breach the Data Protection Act. South East Commissioning Support Unit on behalf of Clinical Commissioning Groups advises staff of their rights.

## Review Procedure

If you feel that we have not met the requirements of the Freedom of Information Act 2000, you should contact the person who sent the response to you.

If you remain dissatisfied, you can ask us to review our decision by making a written request for internal review. This must include your address, a description of the original request and the reasons why you are dissatisfied. Please send this to:

### Email

[Secsu.foi@nhs.net](mailto:Secsu.foi@nhs.net)

### Postal Address

SECSU  
South East CSU  
1 Lower Marsh  
Waterloo  
London, SE1 7NT

### Website Address

<http://www.southeastcsu.nhs.uk>

The review will be handled by staff members who were not involved in the original decision – although this will not apply to Section 36 claimed exemptions in accordance with Department of Health Directive. Your request will still be reviewed. We aim to complete all internal reviews within 20 working days. If you then wish to appeal you should contact the Information Commissioner for an independent review at the following address:

### Telephone

01625 545745

### Postal Address

The Information Commissioner  
Wycliffe House  
Water Lane, Wilmslow  
Cheshire, SK9 5AF

### Website Address

[www.ico.gov.uk](http://www.ico.gov.uk)

## Feedback

Your feedback is welcome to help us improve the service we provide. Please send comments or suggestions to our address.

Yours sincerely,

## Freedom of Information Team

South East CSU

E: [SECSU.FOI@nhs.net](mailto:SECSU.FOI@nhs.net)



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